

REMARKS

Claims 15-19, 22-30 and 33-36 are currently pending, among which claims 15 and 26 are independent claims.

Claim Rejections under 35 U.S.C. 103

Claims 15-19, 22-30 and 33-36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al (US Patent Publication No. 2007/0186240) in view of Harada et al (US Patent No. 5,721,583) and Waki et al (US Patent No. 7,194,758). Applicants respectfully submit that the subject matter recited in claims is not obvious over the cited references. Applicants believe that Applicants have already overcome Ward and Waki, and thus will hereinafter provide only a brief summary of the arguments made in the previous responses regarding these cited references.

Claims 15 and 26 recite the following claim limitations:

(claim 15) a user attribute requester configured to request to the mobile telephone, if user attributes are not registered in the memory in relation to the identification of the instructing user, the user attributes of the instructing user stored in the mobile telephone and register the user attributes of the instructing user received from the mobile telephone in the memory in relation to the identification of the instructing user,

(claim 26) if user attributes are not registered in the memory in relation to the identification of the instructing user, requesting to the mobile telephone the user attributes of the instructing user stored in the mobile telephone and registering the user attributes of the instructing user received from the mobile telephone in the memory in relation to the identification of the instructing user

In the present invention, the interface generator requests user attribute information upon the condition or in the context that the user interface generator (i) receives an instruction for execution of a performance from a mobile telephone, (ii) searches the memory in response to the instruction, but (iii) can not find the user

attribute information in the memory. Although Ward discloses that the EPG requests that the viewer provide certain profile information (paragraph 288), Ward is totally silent about the claim context.

Like Ward, Waki is silent about the context that the user interface generator searched the memory in response to an instruction for execution of a performance is received but could not find the user attribute information in the memory.

Turning now to Harada, Harada discloses collecting survey data from viewers. A remote controller 2300 has a memory 2306 in which personal attribute information of a viewer is stored. (col. 17, lines 32-36). When survey data is collected, the center apparatus 2200 sends polling request data, which is delivered to the remote controller 2300 via the terminal apparatus 2200. (col. 18, lines 37-48). The polling request data is attached with a list of person attribute information needed to be collected. *Id.* In the remote controller 2300, in response to the polling request data, the central processing unit 2301 retrieves personal attribute information according to the received list of personal attribute information (received from the center apparatus 2200) and attaches the retrieved personal attribute information to a polling response. (col. 18, line 66 – col. 19, line 6).

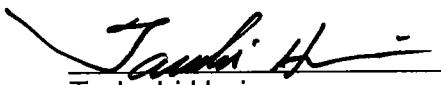
However, it is tally spontaneous in Harada to request the survey data. In Harada, no request is received from the remote controller in order to send a list of persona attribute information from the central apparatus. No memory is searched in order to send a list of persona attribute information from the central apparatus. In other words, like Ward and Waki, Harada is silent about the context that the user interface generator searched the memory in response to an instruction for execution of a performance is received but could not find the user attribute information in the memory.

Therefore, Applicants respectfully submit that the claimed invention is neither anticipated by nor would have been obvious in view of Ward, Harada and Waki, individually or in combination. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Also, the Examiner determined in the Office Action that one of ordinary skill in the art would have used the special phone of Waki in the context of the Ward invention. Applicants respectfully disagree. Ward discloses a unique controller for the invention

(Fig. 2). Ward has detailed discussions of the keys of the controller and their functions. It is wrong to assume that the special controller of Ward is replaceable with the general mobile phone of Waki.

Respectfully submitted,



Tadashi Horie
Registration No.: 40,437
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200